

PART V

AMENDMENTS

An amendment is the method used by a member or a committee or council to make a change in a bill once it has been introduced. In preparing an amendment, one should bear in mind all of the aspects essential to the proper creation and amendment of statutes in a bill as discussed in this manual. There are a number of different types of amendments for use in different situations. The LEAGIS system allows the user to access the various types of amendment forms, commonly referred to as "templates," necessary to prepare the various types of amendments, examples of which are shown on pages 139-150. It is important to be familiar with the various types of amendments and their differences and requirements in order to prepare amendments correctly.

Amendments can be offered at various stages in the legislative process and can be used to accomplish different results. The stage of the legislative process determines the *type of amendment* to be used, e.g., a substitute amendment. The result the amendment is intended to accomplish determines the *content of the amendment*. Amendments can be offered by Members when a bill is being heard in committee or in council, and when the bill reaches the House floor.

IN COMMITTEE OR COUNCIL

The same rules for preparation of an amendment on the House floor apply to preparation of an amendment to be offered in committee or council, with these exceptions:

1. This is the only situation in which a handwritten or typed amendment is acceptable. If time constraints require you to submit such an amendment, be sure that it contains all the information required on the LEAGIS amendment template, and be sure it is legible. Handwritten amendments adopted in committee or council are then prepared in LEAGIS by committee or council staff. Though still acceptable, it is preferable to prepare amendments offered in committee or council in LEAGIS.

2. The amendment template used in committee and council is slightly different from the floor amendment template; it includes a space for entering the name of the committee or council hearing the bill.

(See the sample committee amendment template on page 123.)

ON THE FLOOR

The following are the most common situations that occur when a bill is being considered on the House floor and that determine the *form of the amendment*. Many other complex and relatively obscure situations can arise, most often in the closing days of a session. House Bill Drafting staff is available to assist district and local staff with any amendment problems or questions that may arise.

A House or Senate bill is being taken up for the first time

In this posture, it is possible for an amendment to be offered at any one of four levels. These levels, and the corresponding wording on the amendment templates, are:

1. *An amendment to the bill*--this is the simplest of all cases:

Representative(s) _____ offered the following:

Amendment (with directory and title amendments)

2. *An amendment to the amendment*--when you wish to amend another amendment which is pending adoption:

Representative(s) _____ offered the following:

Amendment to amendment (012345) (with directory and title amendments)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the line number of the **amendment** which is being amended, **not** to a line number of the bill.

3. *A substitute amendment*--when you want your amendment to be considered instead of the amendment pending adoption:

Representative(s) _____ offered the following:

Substitute Amendment for Amendment (012345)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the line number of the **bill** which is being amended.

4. An amendment to the substitute--when a substitute amendment is pending adoption and you want to offer an amendment to it:

Representative(s) _____ offered the following:

***Amendment to Substitute Amendment (012345)**

***NOTE:** *There is no separate template for an amendment to a substitute amendment. Technically, it is a form of an amendment to an amendment. Select the "amendment to amendment" template and insert the word "substitute" manually.*

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the line number of the **substitute amendment** being amended.

"Strike everything" amendments

Consideration of an amendment to "remove everything after the enacting clause" is a type of amendment which deserves special attention.

The purpose of such an amendment, commonly referred to as a "strike everything" or "strike all" amendment, is to remove the entire text of a bill and substitute new text in its place. When such an amendment is offered, all previously adopted amendments as well as any other amendments on the Reading Clerk's desk are placed in jeopardy. Now what?

Quite often, if the "strike everything" amendment appears destined for approval, members will want to offer their amendments while it is pending (as amendments to the amendment), rather than pursuing further amendment to the bill. The reasoning here is simple--to get on board before the big amendment passes. In this case, a previously prepared amendment which is on the Reading Clerk's desk **must be modified so that it relates to the appropriate line numbers of the pending "strike everything" amendment. To accomplish this, a new request for the amendment must be submitted in LEAGIS.** If the "strike everything" amendment is such that it renders a previously drawn amendment inapplicable, the amendment should be withdrawn. Amendments to the "strike everything" amendment can be *prepared* prior to the filing of the "strike everything" amendment, **but cannot be filed until the "strike everything" amendment is filed.** Filing the "strike everything" amendment generates the barcode which gives the "strike everything" amendment its amendment identification number to which other amendments should then be drawn. It should be noted, however, that so long as the "strike everything" amendment is pending, a whole level of subsidiary amendments is unavailable under House Rules relating to the sequence of amendments to an amendment.

The procedural result of adopting a "strike everything" amendment is twofold:

- All previously adopted amendments are wiped out, even those which are not incompatible with the text of the "strike everything" amendment.
- Any amendments which remain on the Reading Clerk's desk are in technically incorrect form, since they have been drafted against a bill which has been totally replaced.

Once a "strike everything" amendment has been adopted, further amendment is in order and the text of the "strike everything" amendment is considered to be the text of the bill, even though it has not been engrossed.

This means that the full range of amendments, amendments to amendments, and substitute amendments permitted under House Rules is once again available.

An amendment to "strike everything after the enacting clause" does not have to indicate the line numbers of the bill being amended.

A House bill is returned from the Senate with an amendment

When a bill is in this posture, it has already passed the House. It has also passed the Senate, but with a Senate amendment. Since the Senate engrossing room does not engross House bills, the bill arrives back on the House floor and is taken up, with the unengrossed Senate amendment attached to it, during the

order of business entitled "Messages from the Senate." Since the bill has previously passed the House, the bill proper is no longer available for amendment. However, the House may concur or refuse to concur in the Senate amendment, or it may amend the Senate amendment.

In this posture it is possible for an amendment to be offered at any one of four levels. These levels, and the corresponding wording on the amendment template, are:

1. *An amendment to the Senate amendment*--when your amendment is an amendment to an unengrossed Senate amendment:

Representative(s) _____ offered the following:

Amendment to Senate Amendment (543210)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the page and line number of the **Senate amendment** being amended.

2. *An amendment to an amendment to the Senate amendment*-- when your amendment is an amendment to another House amendment which is pending adoption to the Senate amendment:

Representative(s) _____ offered the following:

Amendment to Amendment (012345)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the line number of the **House amendment to the Senate amendment** which is being amended.

3. A *substitute amendment*--when you want your amendment to be considered instead of a pending House amendment to the Senate amendment:

Representative(s) _____ offered the following:

Substitute Amendment for Amendment (012345)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the page and line number of the **Senate amendment** which is being amended.

4. An *amendment to the substitute*--when a substitute amendment for a House amendment to a Senate amendment is pending adoption and you want to offer an amendment to it:

Representative(s) _____ offered the following:

Amendment to Substitute Amendment (012345)

The language specifying the location of the amendment (Space #6 of the model amendment template) should direct the reader to the line number of the **substitute amendment** being amended.

MODEL FLOOR AMENDMENT TEMPLATE

HOUSE AMENDMENT

1 Bill No.

2 Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

3

3

4 1 Representative(s) offered the following:

5 3 **Amendment (with directory and title amendments)**

6 4 Remove line(s) and insert:

7 7 ===== DIRECTORY AMENDMENT =====

8 Remove line(s) and insert:

8 11 ===== TITLE AMENDMENT =====

12 Remove line(s) and insert:

9 540221

10 12/16/2004 9:01:31 AM Page 1 of 1

FLOOR AMENDMENT TEMPLATE GUIDE

An amendment offered on the House floor by a member **must be submitted as a request for an amendment in LEAGIS**. The LEAGIS system then provides for the display of the amendment in the Bill Navigator component of the LEAGIS system and the Chamber Automation System used by the Senate. When entering a request for an amendment in LEAGIS, the user is prompted to choose one of the various amendment templates from a drop-down menu, and then the template for the appropriate type of amendment appears on the screen.

The model amendment template on page 117 is the template for use by a Member on the House floor. The numbered indicators on the sample identify the various components of the template. A model of the amendment template for use in committee and council appears on page 123.

SPACE # 1

In this space, insert the number of the House or Senate bill to be amended.

-- If a House bill is a *committee substitute* or a *council substitute* add "CS" **after** "HB."

With respect to House bills, regardless of the number of times a bill has been a committee substitute, there is only one CS version. That CS version is the most current version of the bill and it is the only available vehicle in LEAGIS.

-- If a Senate Bill is a *committee substitute*, add "CS/" **before** "SB." The Senate does not have councils so there are no council substitutes for Senate bills. The Senate specifies *committee substitute for committee substitute, committee substitute*

for committee substitute for committee substitute, and so forth, in the bill number designation according to the number of times the bill has been a committee substitute, so add "CS/CS" or "CS/CS/CS" before "SB" as appropriate.

-- If a House bill has had amendments engrossed into it, add "1st Eng" after the bill number. **With respect to House bills, regardless of the number of times a House bill has been engrossed, there is only one engrossed version. That engrossed version is the most current version of the bill and it is the only available vehicle in LEAGIS.**

-- If a Senate bill has had amendments engrossed into it, add "1st Eng," "2nd Eng," or "3rd Eng," as applicable, after the bill number.

-- If a *resolution, joint resolution, concurrent resolution, or memorial* is to be amended, use the appropriate initials: HR, HJR, HCR, HM, SR, SJR, SCR, or SM instead of "HB."

SPACE #2

This space is for use when arranging multiple amendments in a specific order, such as designating "Amendment No. 2 " in a series of 15 amendments.

SPACE # 3

For Clerk's Office use only.

SPACE # 4

On this line, set forth the name of the sponsor or sponsors or the committee or council offering the amendment. Note that the initials of the Member's first name

should be supplied whenever the sponsor has the same last name as another representative.

SPACE # 5

This line indicates the exact type of the amendment . It can be in any of the following forms:

Amendment

Amendment to Amendment (012345)

Amendment to Substitute Amendment (012345)

Substitute Amendment for Amendment (012345)

Any of these descriptions can be followed by the phrase "(with directory and title amendments)" or an appropriate modification of that phrase, if either or both of such amendments is necessary.

SPACE #6

On this line, indicate the exact location in the bill at which the amendment is to occur.

Example:

Remove line(s) 107 and insert:

Unless the entire title or body of a bill is being deleted, you will always need to identify the line where an amendment begins. If necessary, make "line" plural.

Example:

Remove line(s) 107-732 and insert:

If you are amending an **amendment**, **use the line numbers of the amendment you are amending.**

Also on this line, you will begin to set forth the specific instructions of the amendment.

If the amendment is adopted, the Clerk's Office will implement these instructions in such a way as to remove, add, or alter text according to your directions. See pages 126-131 for complete instructions on preparing the content of an amendment.

SPACE # 7

This area may be used to set forth an amendment to the directory, if one is necessary, or this directive can be deleted if no directory amendment is necessary.

SPACE # 8

This area may be used to set forth the title amendment, if one is necessary, **or to set forth an amendment that amends only the title of a bill.** This directive can be deleted if no title amendment is necessary.

SPACE # 9

This is the LEAGIS amendment identification number which "names" the amendment. For instance, an amendment to this amendment would be

"Amendment to Amendment (754077)." A substitute amendment for this amendment would be **"Substitute Amendment for Amendment (754077)."**

An amendment identification number cannot be generated for a "generic amendment" that does not have a sponsor or a "vehicle." Amendments for the floor can only be prepared upon receipt by House Bill Drafting of a request in LEAGIS, or through such request when prepared by House Bill Drafting staff in the House chamber.

SPACE # 10

Indicates the date and time the amendment was prepared.

MODEL COMMITTEE AMENDMENT TEMPLATE

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No.

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill:

Representative(s) offered the following:

Amendment (with directory and title amendments)

Remove line(s) and insert:

===== D I R E C T O R Y A M E N D M E N T =====

Remove line(s) and insert:

===== T I T L E A M E N D M E N T =====

Remove line(s) and insert:

000000

Page 1 of 1

PCB001-005

COMMITTEE AMENDMENT TEMPLATE GUIDE

The model amendment template on page 123 is the LEAGIS template for use by a member in committee or in council. Committee and council amendments do not receive an amendment identification number as do House floor amendments.

The numbered indicators identify the areas where this template differs from the floor amendment template.

SPACE # 1

This area indicates the committee or council action that was taken on the bill and is for committee or council use only. Do not mark in this area.

SPACE # 2

Identifies the committee or council hearing the bill.

SPACE # 3

This is the committee computer storage number of the amendment. A common practice in committees and councils is to name the amendment with a number consisting of the number of the bill being amended, followed by a hyphen and a number such as "003" to indicate the third amendment in a series of amendments to that particular bill. Hence, "4175-003" would be a logical identification number for the third amendment to House Bill 4175. Another common identifier is "PCB001-005, indicating the fifth in a series of amendments to the committee's PCB #1. However, the amendment can be stored under any name or number. **This identification**

number is not a LEAGIS amendment number of the type used for floor amendments.

Please keep in mind that If you are attempting to amend a House bill on the floor using an amendment previously prepared and offered in committee or council, that amendment must be transmitted via LEAGIS to Bill Drafting as a *new request for a floor amendment* and prepared as a floor amendment in order to be filed on the House floor.

CONTENT OF AN AMENDMENT

The result you wish to accomplish with an amendment will dictate the content of the amendment. This section describes how to make use of the three basic kinds of amendments, those which simply remove text, those which simply add text, and those which both remove and add text, along with title and directory amendments. **It is important to remember that the House observes the convention of only removing entire lines of text from a bill.** This applies regardless of how small the proposed change might be - even if it is only a punctuation mark. Do not write amendment instructions to remove one or several words in a line of text. Direct that the entire line be removed and then set forth the text that will replace it.

1. AN AMENDMENT WHICH SIMPLY REMOVES TEXT

This type of amendment simply removes text and does not insert anything in its place. You should indicate the exact line or lines to be removed. Example:

Remove line(s) 231 and 232

[Then delete the "and insert" directive]

If entire lines are to be removed on consecutive pages, use the same pattern:

Remove line(s) 231-1048

[Then delete the "and insert" directive]

2. AN AMENDMENT WHICH SIMPLY ADDS TEXT

This type of amendment simply adds text and does not remove any existing text. You can add words or phrases or whole new sections to a bill. This type of amendment generally takes one of two forms.

Remove line 231, and insert:

[Set forth line 231 of the text in the bill with the text to be added immediately following.]

-OR-

Between lines 231 and 232, insert:

[Set forth the text to be added.]

REMEMBER, if the words you are adding should be *underlined in the bill*, you must also make sure they are *underlined in the amendment*. In nearly every case, an amendment to add new text to a bill will require underlining, because the new text will either be an addition to an existing Florida Statutes section, or it will be text which is new to the bill.

Adding a new section or sections

Sometimes it is the purpose of an amendment to add a whole new section or sections to the bill which is being amended. Such an amendment will almost always require a corresponding title amendment. Following are some special considerations in such an instance:

A new section can be added at the beginning, in the middle, or at the end of the bill being amended. In each case, the instructions would read something like this:

Between lines 8 and 9, insert:

[Set forth the new section]

Adding a section anywhere other than the very end of the bill will change the numbering of all the following sections. Note that the directive to "RENUMBER SUBSEQUENT SECTIONS" is no longer used in floor amendments (it is, however, still an accepted practice for use in committee amendments). The renumbering of subsequent sections will be done by the engrossing staff automatically. However, whenever such an amendment will result in renumbering the sections of a bill, ***it is essential that the entire bill be checked for internal references to bill section numbers that will have to be amended to conform to the change in section numbering***. The engrossing staff does not have the authority to renumber internal references to section numbers of the bill.

If you are adding a section to the end of a bill, it is sometimes preferable to simply remove the line or lines on which the effective date appears and then add the effective date back in at the end of your amendment.

When adding part of one bill to another by amendment, always check to see if there are conflicting provisions in the two bills that need to be addressed.

There are several examples of this worth mentioning:

-- Assuming your amendment is germane and can be added without violating the single-subject rule, check the "relating to" clause of the title to make sure it still applies; if not, correct it with a title amendment that properly reconciles the combined provisions.

-- Always check to see if the effective dates of provisions being combined are in agreement with each other. If you need to use multiple effective dates, be sure to change the section directories, effective date section, and title to conform.

-- Definitions contained in either of the bills, as well as references to such things as "the department," need to be carefully checked to confirm that they will continue to have the originally intended meaning.

-- If the phrase "this act" appears in either of the bills, changes must be made to ensure that such references relate only to the originally intended portions of the combined bill. Often in such instances, a reference to "this act" may need to be changed to specific sections, such as "Sections 15-38 of this act may be cited as"

If you are contemplating adding a bill in its entirety to another by amendment you should bear in mind that House Rule provides that an amendment is out of order if it is the principal substance of a bill that has received an unfavorable council or committee report, has been withdrawn from further consideration, or has not been reported favorably by at least one committee of reference and thus may not be offered to a bill on the Calendar and under consideration by the House.

3. AN AMENDMENT WHICH BOTH REMOVES AND ADDS TEXT

This type of amendment removes text from the bill and inserts new text in its place. Examples:

Remove line 11 and insert:

Department of State shall have the authority to certify the eligible persons or entities.

-OR-

Remove lines 278 through 1085 and insert:

[set forth full text as you wish it to appear in the space you have created by the removal of those lines]

A great many variations are possible, using a combination of the suggestions shown in 1. and 2. and adapting them to meet your needs.

4. TITLE AMENDMENTS

Most title amendments accompany an amendment to the body of a bill and are included on the same template with the body amendment. The inclusion of a title amendment is indicated by the parenthetical phrase following the description of the amendment type:

Amendment (with title amendment)

Amendment to Amendment (012345) (with title amendment)

Title amendments are prepared according to the same basic rules as body amendments, but coding is never required in a title amendment. An amendment to

remove the entire title and replace it with a new title does not need to indicate line numbers:

Remove the entire title

and insert: [set forth text of new title]

Occasionally an amendment does nothing more than amend the title of a bill. In this case, set forth your changes to the title in the Title Amendment portion of the template, deleting other inapplicable directives in the template:

If an *amendment to an amendment* requires a title amendment, and the amendment being amended includes a title amendment, the title portion of the amendment to the amendment should **cite the line numbers of the title portion of the amendment being amended**.

If the amendment being amended **does not** include a title amendment, the title portion of the amendment to the amendment should **cite the line numbers of the title of the bill being amended**.

5. DIRECTORY AMENDMENTS

Whenever subdivisions of statute text such as subsections or paragraphs are added to or deleted from the text of a bill which amends statute sections, the *directory* as originally written in the bill *will have to be amended to conform*. Changes in directory language necessitated by an amendment that affects statute text are included on the same template with the body amendment. The inclusion of a

directory amendment is indicated in parentheses after the description of the amendment:

Amendment (with directory amendment)

Example:

Remove line 21 and insert:

[Set forth new directory language]

The most useful application of the directory amendment component of the amendment template occurs when adding an amended or created subdivision or subdivisions to a **lengthy** section of a bill. Let's say that you are adding an additional subsection to the end of a section in a bill. Between the directory and the point at which you will insert the new subsection there are 13 pages of text. Because you are adding another subsection, you need to reach the directory to change it as well. Rather than writing an amendment that removes 13 pages of text and then reinserts those pages with the new subsection added and the directory corrected, you can simply insert the new subsection between the appropriate lines at the end of the section and amend the directory accordingly, making for a much shorter amendment.

IMPORTANT THINGS TO REMEMBER

1. THE ABSOLUTE FIRST CONSIDERATION. *Identify the bill you wish to amend.* Often, material supplied by a requester may be out of date. Check the bill history citator, Bill Navigator in LEAGIS, or the session data available on "Online

Sunshine," the official Internet site of the Florida Legislature, to see if a committee substitute or a council substitute has been adopted or if the bill has already been amended.

If the bill has been amended by the House or Senate, any further amendment must be addressed to the engrossed version. If you are attempting to amend a bill with respect to which previous amendments have not been engrossed, follow the instructions beginning on page 114.

2. DEALING WITH CODING. When amending a portion of a bill that contains coded Florida Statutes sections, be careful to carry over the proper coding in your amendment. It is **essential** to remember that the amendment template is not used to make changes in statute text directly; it only does so indirectly by making changes in the text of a bill. Thus, the directives on the amendment template to "remove" and "insert" words do not in themselves accomplish the hyphening out and underlining that are required to change statute text; they are only tools to be used to change the text of the bill to accomplish that purpose.

The way in which an amendment can be used to make changes in a portion of a bill that contains coded statute text is to remove and replace the entire line or lines.

Assume you have a portion of statute text that appears in a bill on line 135, like this:

must be filed with the clerk within 40 60 days after the

This means that the present law calls for a 60-day filing period and the bill proposes to change that to a 40-day period. If you want the bill to propose a 1-month period instead of a 40-day period, prepare the amendment as follows:

-- Remove the entire line from the bill and replace it with an entire line that is properly coded:

Remove line 135 and insert:

must be filed with the clerk within 1 month ~~60 days~~ after the

When preparing an amendment that involves coded statute text, **always make a final check to be sure that the final product will be language that is properly coded against existing Florida Statutes text.** Check to see if the directory needs to be amended. Also, if you have removed coding, check to see if the result is a statute section or subdivision that is no longer being amended; if so, the whole section or subdivision should be removed from the bill, instead of just the coding.

3. MAKING CHANGES IN MORE THAN ONE PLACE. Because the House observes the convention of removing and adding **only whole lines of text** by amendment, the option of directing that a word or phrase that recurs at a number of specific line locations be removed from those locations and another single word or phrase substituted in each of the locations is no longer available as it had been in the past. Rather than preparing multiple amendments in such a case (which in most instances is undesirable), the simplest method of preparing such an amendment is to remove the text of the bill that encompasses all the changes, beginning with the line

on which the first change occurs and ending with the line on which the last change occurs, and then reinsert that text with the appropriate changes incorporated.

4. AMENDMENTS WHICH INVOLVE ADDING OR DELETING SECTION

SUBDIVISIONS. When your amendment involves adding or deleting subdivisions of a statute section that is being amended in a bill, such as subsections or paragraphs, always be sure to correct the directory. Also, double check for any necessary introductory or "flush left" material that will need to be included.

5. DEALING WITH WHEREAS CLAUSES. "Whereas" clauses can be amended in the same way that the body of a bill is amended, although coding will never be needed. However, a special situation arises when you are preparing a "strike the entire title" amendment for a bill containing "Whereas" clauses. Since these clauses are not technically part of the title, in order to remove them you must provide specific line number directions which encompass not only the entire title but the "Whereas" clauses as well, rather than simply directing that the "entire title" be removed from the bill, without any line number indications.

SPECIAL TYPES OF AMENDMENTS

1. TECHNICAL AMENDMENTS. Although proposed amendments that supposedly have no substantive impact are often characterized in legislative jargon as being "technical amendments," only the Rules and Calendar Council and House Bill Drafting have access to the technical amendment template in LEAGIS and can prepare what are officially recognized technical amendments used to offer purely corrective changes in the name of the Rules and Calendar Council. Members and other committee staff are not permitted access to this form.

2. AMENDMENTS TO THE GENERAL APPROPRIATIONS BILL.

Amendments to the general appropriations bill are not prepared by House Bill Drafting but are prepared by the Fiscal Council and the various appropriations committees of the council. Contact the staff of the Fiscal Council or the appropriations committees for information regarding such an amendment.

3. AN AMENDMENT TO REMOVE THE ENACTING OR RESOLVING CLAUSE.

This amendment is rarely used and should not be confused with an amendment to remove everything **after** the enacting clause. Under House Rules, adoption of an amendment to "remove the enacting clause of a bill or the resolving clause of a resolution or memorial" is the equivalent of rejection of the bill, resolution, or memorial by the House. The purpose of such an amendment is, therefore, to bring

the bill to a final vote on second reading, when otherwise such a vote would not occur until third reading.

AMENDMENT SAMPLES ARE DRAFTED TO THIS BILL

HB 3053

1 A bill to be entitled
2 An act relating to the lottery; amending s. 24.1055, F.S.;
3 prohibiting vendors from selling lottery tickets to
4 certain persons; prohibiting redemption of lottery tickets
5 by certain persons; providing penalties; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Subsections (1) and (3) of section 24.1055,
11 Florida Statutes, are amended to read:

12 24.1055 Prohibition against sale of lottery tickets to
13 minors or redemption by minors; posting of signs; penalties.--

14 (1) (a) No person who is less than 18 years of age:

15 1. May purchase a lottery ticket by means of a machine or
16 otherwise.

17 2. May redeem any lottery ticket for anything of value.

18 (b) No vendor shall sell, by means of a machine or
19 otherwise, any lottery ticket to, or redeem any lottery ticket
20 from, any person who is less than 18 years of age.

21 (3) Any minor person, including any vendor, who violates
22 this section commits ~~is guilty of~~ a misdemeanor of the second
23 degree, punishable as provided in s. 775.082 or s. 775.083. Any
24 vendor who violates this section commits a misdemeanor of the
25 first degree, punishable as provided in s. 775.082 or s. 775.083.

26 Section 2. This act shall take effect upon becoming a law.

AMENDMENT SAMPLE 1

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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. .
.

REMOVES CODED TEXT FROM BODY OF THE BILL

[Removes "or s. 775.083" from line 25 of text of sample bill]

Representative(s) Robertson offered the following:

Amendment

Remove line 25 and insert:

first degree, punishable as provided in s. 775.082.

AMENDMENT SAMPLE 2

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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. .

STRIKES EXISTING STATUTE TEXT

[Strikes existing statute text "posting of signs;" in catchline of s. 24.1055, F.S.]

1 Representative(s) DaSilva offered the following:

2

3 **Amendment**

4 Remove line 13 and insert:

5

6 minors or redemption by minors; ~~posting of signs~~; penalties.--

AMENDMENT SAMPLE 3

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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RESTORES EXISTING STATUTE TEXT

[Deletes underlined word "commits" and removes hyphens from existing statute text "~~is guilty of~~" in subsection (3) of bill]

1 Representative(s) Higgins offered the following:

2

3 **Amendment**

4 Remove line 22 and insert:

5

6 this section is guilty of a misdemeanor of the second

AMENDMENT SAMPLE 4

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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. .
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REMOVES AND INSERTS CODED TEXT IN BODY AND CONFORMS TITLE

*[Changes the term "vendor" to "convenience store clerk" on lines
18 and 24 of the text of the bill and on line 3 of the title]*

1 Representative(s) McLaughlin offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 18-24 and insert:

5
6 (b) No convenience store clerk shall sell, by means of a
7 machine or otherwise, any lottery ticket to, or redeem any
8 lottery ticket from, any person who is less than 18 years of
9 age.

10 (3) Any minor person, ~~including any vendor~~, who violates
11 this section commits ~~is guilty of~~ a misdemeanor of the second
12 degree, punishable as provided in s. 775.082 or s. 775.083. Any
13 convenience store clerk who violates this section commits a
14 misdemeanor of the
15

AMENDMENT SAMPLE 4

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

16
17 ===== T I T L E A M E N D M E N T =====
18 Remove lines 3 and insert:
19
20 prohibiting convenience store clerks from selling lottery
21 tickets to

AMENDMENT SAMPLE 5

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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REMOVES TEXT FROM BILL AND CONFORMS TITLE AND DIRECTORY

[Removes subsection (3) from the bill, makes the appropriate conforming change in the directory, and removes "providing penalties" in the title, to conform.]

1 Representative Lloyd offered the following:

2

3 **Amendment (with directory and title amendments)**

4 Remove lines 21-25

5

6

7 ===== D I R E C T O R Y A M E N D M E N T =====

8 Remove lines 10 and 11 and insert:

9

10 Section 1. Subsection (1) of section 24.1055, Florida

11 Statutes, is amended to read:

12

13 ===== T I T L E A M E N D M E N T =====

Page 1 of 2

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AMENDMENT SAMPLE 5

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

14 Remove line 5 and insert:

15

16 by certain persons; providing an

AMENDMENT SAMPLE 6

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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ADDS NEW AMENDED SUBSECTION TO BILL AND CONFORMS TITLE AND DIRECTORY

[Adds amended subsection (2) of section 24.1055 to text of the bill, conforms the directory (section 24.1055 is now shown in its entirety), and conforms the title by adding "specifying certain sign requirements;"]

Representative Blackwell offered the following:

Amendment (with directory and title amendments)

Between lines 20 and 21, insert:

(2) Any retailer that sells lottery tickets by means of a player activated machine or redeems lottery tickets shall post a clear and conspicuous sign on such machine, which states the following:

THE SALE OF LOTTERY TICKETS OR PAYMENT OF LOTTERY TICKET PROCEEDS TO PERSONS UNDER THE AGE OF 18 IS AGAINST FLORIDA LAW (SECTION 24.105, FLORIDA STATUTES). PROOF OF AGE IS REQUIRED FOR PURCHASE OR REDEMPTION.

AMENDMENT SAMPLE 6

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

===== D I R E C T O R Y A M E N D M E N T =====

Remove lines 10 and 11 and insert:

Section 1. Section 24.1055, Florida Statutes, is amended
to read:

===== T I T L E A M E N D M E N T =====

Remove line 5 and insert:

by certain persons; specifying certain sign requirements;
providing penalties; providing an

AMENDMENT SAMPLE 7

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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AMENDMENT TO AN AMENDMENT

[Amends Amendment 273437 (Amendment Sample 6) to remove "or redeems lottery tickets" on line 7 of the amendment and insert "or redeems" on line 6 of the amendment.]

1 Representative Haynes offered the following:

2

3 **Amendment to Amendment (273437)**

4 Remove lines 6 and 7 and insert:

5

6 (2) Any retailer that sells or redeems lottery tickets by

7 means of a player activated machine shall post a

AMENDMENT SAMPLE 8

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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SUBSTITUTE AMENDMENT

[An amendment offered in place of, or as a "substitute" for, Amendment 273437 (Amendment Sample 6). *NOTE: LINE NUMBER DIRECTIONS ARE DRAWN TO THE BILL, NOT THE AMENDMENT.]

Representative Haynes offered the following:

Substitute Amendment for Amendment (273437) (with directory and title amendments)

Remove line(s) 13-25 and insert:

minors or persons more than 55 years of age; posting of signs; penalties.--

(1) No person who is less than 18 or more than 55 years of age may purchase a lottery ticket by means of a machine or otherwise.

(2) Any retailer that sells lottery tickets by means of a player activated machine shall post a clear and conspicuous sign on such machine, which states the following:

AMENDMENT SAMPLE 8

HOUSE AMENDMENT

HB 3053

Amendment No. (for drafter's use only)

15 THE SALE OF LOTTERY TICKETS TO PERSONS UNDER THE AGE OF 18 OR
16 OVER THE AGE OF 55 IS AGAINST FLORIDA LAW (SECTION 24.105,
17 FLORIDA STATUTES). PROOF OF AGE IS REQUIRED FOR PURCHASE.

18 (3) Any person, including any vendor, who violates this
19 section commits ~~is guilty of~~ a misdemeanor of the second degree,
20 punishable as provided in s. 775.082 or s. 775.083.

21
22 ===== D I R E C T O R Y A M E N D M E N T =====

23 Remove lines 10 and 11 and insert:

24
25 Section 1. Section 24.1055, Florida Statutes, is amended
26 to read:

27
28
29 ===== T I T L E A M E N D M E N T =====

30 Remove lines 3-5 and insert:

31
32 prohibiting the purchase of lottery tickets by certain persons;
33 providing penalties; providing an